

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES CURTIS KERN,

Petitioner,

v.

SACRAMENTO COUNTY SUPERIOR
COURT,

Respondent.

No. 2:24-cv-00471-DJC-EFB (PC)

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner has not, however, filed an in forma pauperis affidavit or paid the required filing fee (\$5.00). *See* 28 U.S.C. §§ 1914(a); 1915(a). Petitioner will be provided the opportunity to either submit the appropriate affidavit in support of a request to proceed in forma pauperis or submit the appropriate filing fee.

Petitioner has also filed a needless motion for extension of time (there were no pending deadlines in the case at the time the motion was filed). ECF No. 16. The motion will be denied as moot.

In accordance with the above, IT IS HEREBY ORDERED that:

1. The motion for extension of time, ECF No. 16, is denied as MOOT;
2. Petitioner shall submit, within thirty days from the date of this order, an affidavit in

1 support of his request to proceed in forma pauperis or the appropriate filing fee;

2 3. The Clerk of the Court is directed to send petitioner a copy of the in forma pauperis
3 form used by this district; and

4 4. Petitioner's failure to comply with this order will result in a recommendation that this
5 action be dismissed.

6
7 Dated: October 21, 2024


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE